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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Based upon the pending Stipulation of counsel, and good cause appearing therefor, the Court finds:

1. Counsel requires additional time to resolve the case outside of trial.
  2. Parties need further time to prepare for trial.
  3. As a result, denial of this request for continuance could result in a miscarriage of justice.
  4. The additional time requested is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

1           5. Defendant is incarcerated and consents to this continuance.  
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4           DATED this 28 day of February 2023.  
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7           For all of the above-stated reasons, the ends of justice would best be served by a continuance  
8 of the trial date.  
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11           **CONCLUSIONS OF LAW**  
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14           The ends of justice served by granting said continuance outweigh the best interest of the  
15 public and the defendants in a speedy trial, since the failure to grant said continuance would be  
16 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the  
17 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into  
18 account the exercise of due diligence.  
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21           The additional time requested is excludable in computing the time within which the trial  
22 herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section  
23 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i),  
24 (iv).  
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## **ORDER**

IT IS HEREBY ORDERED that the bench trial currently scheduled for March 1, 2023, at a.m. be vacated and continued to 4/5/2023 at 9:00 am in LV 3D before Magistrate Judge Cam Ferenbach.

DATED this February 28, 2023

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**UNITED STATES DISTRICT JUDGE**

Respectfully Submitted By:

/s/Thomas D. Boley  
Thomas D. Boley, Esq.  
Nevada Bar No. 11061  
Attorney for Defendant

